

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of the Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE SIDE OF THE FORM.)

**I.(a) PLAINTIFFS**

Yvette Murray and Christopher Ming, Plaintiff(s)

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Philadelphia, PA  
(EXCEPT IN U.S. PLAINTIFF CASES)

(C) ATTORNEY'S (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Law Offices of Bernard M. Gross, P.C.  
100 Penn Square East  
Suite 450, The Wannamaker Building  
Philadelphia, PA 19107  
215-561-3600

**DEFENDANTS****Trump Entertainment Resorts and Trump Taj Mahal Associates, Defendant(s)**COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Atlantic County, NJ  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

ATTORNEYS (IF KNOWN)

Marks, O'Neill, O'Brien, Doherty & Kelly, P.C.  
1800 JFK Boulevard, Suite 1900  
Philadelphia, PA 19103  
215-564-6688

**II. BASIS OF JURISDICTION**(PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff  
☐ 2 U.S. Government Defendant  
☐ 3 Federal Question (U.S. Government Not a Party)  
☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (PLACE AN X IN ONE BOX FOR DIVERSITY CASES ONLY FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

|   |                            |                            |   |                            |                            |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
|   | PTF                        | DEF                        |   | PTF                        | DEF                        |
| Citizen of This State                   | X 1                        | <input type="checkbox"/> 1 | Incorporated or Principle                                     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Place of Business in this State                               |                            |                            |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Incorporated and Principle Place of Business in Another State | <input type="checkbox"/> 5 | X 5                        |
|   |                            |                            | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. CAUSE OF ACTION** (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

2120 Premises Liability - Slip and Fall (Cause of Action)

**V. NATURE OF SUIT** (PLACE AN X IN ONE BOX ONLY)

| CONTRACT   | TORTS   |   | FORFEITURE/PENALTY   | BANKRUPTCY  | OTHER STATUTES   |
|--|---|---|--|---|--|
| <input type="checkbox"/> 110 Insurance<br><input type="checkbox"/> 120 Marine<br><input type="checkbox"/> 130 Miller Act<br><input type="checkbox"/> 140 Negotiable Instrument<br><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgement<br><input type="checkbox"/> 151 Medicare Act<br><input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)<br><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits<br><input type="checkbox"/> 160 Stockholders' Suits<br><input type="checkbox"/> 190 Other Contract<br><input type="checkbox"/> 195 Contact Product Liability | <b>PERSONAL INJURY</b><br><input type="checkbox"/> 310 Airplane<br><input type="checkbox"/> 315 Airplane Product Liability<br><input type="checkbox"/> 320 Assault, Libel & Slander<br><input type="checkbox"/> 330 Federal Employer's Liability<br><input type="checkbox"/> 340 Marine<br><input type="checkbox"/> 345 Marine Product Liability<br><input type="checkbox"/> 350 Motor Vehicle<br><input type="checkbox"/> 355 Motor Vehicle Product Liability<br><input checked="" type="checkbox"/> 360 Other Personal Injury | <b>PERSONAL INJURY</b><br><input type="checkbox"/> 362 Personal Injury Med - Malpractice<br><input type="checkbox"/> 365 Personal Injury - Product Liability<br><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability<br><b>PERSONAL PROPERTY</b><br><input type="checkbox"/> 370 Other Fraud<br><input type="checkbox"/> 371 Truth in Lending<br><input type="checkbox"/> 380 Other Personal Property Damage<br><input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 610 Agriculture<br><input type="checkbox"/> 620 Other Food & Drug<br><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881<br><input type="checkbox"/> 630 Liquor Laws<br><input type="checkbox"/> 640 R. R. & Truck<br><input type="checkbox"/> 650 Airline Regs<br><input type="checkbox"/> 660 Occupational Safety/Health<br><input type="checkbox"/> 690 Other | <input type="checkbox"/> 422 Appeal 28 USC 158<br><input type="checkbox"/> 423 Withdrawal 28 USC 157<br><b>PROPERTY RIGHTS</b><br><input type="checkbox"/> 820 Copyrights<br><input type="checkbox"/> 830 Patent<br><input type="checkbox"/> 840 Trademark          | <input type="checkbox"/> 400 State Reapportionment<br><input type="checkbox"/> 410 Antitrust<br><input type="checkbox"/> 430 Banks & Banking<br><input type="checkbox"/> 450 Commerce/ICC Rates/ etc..<br><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations<br><input type="checkbox"/> 810 Selective Service<br><input type="checkbox"/> 850 Securities/Commodities/ Exchange<br><input type="checkbox"/> 875 Customer Challenge 12 USC 3410<br><input type="checkbox"/> 891 Agricultural Acts<br><input type="checkbox"/> 892 Economic Stabilization Act<br><input type="checkbox"/> 893 Environmental Matters<br><input type="checkbox"/> 894 Energy Allocation Act<br><input type="checkbox"/> 895 Freedom of Information Act<br><input type="checkbox"/> 900 Appeal of Free Determination Under Equal Access to Justice<br><input type="checkbox"/> 950 Constitutionality of State Statutes<br><input type="checkbox"/> 890 Other Statutory Actions |
| <b>REAL PROPERTY</b><br><input type="checkbox"/> 210 Land Condemnation<br><input type="checkbox"/> 220 Foreclosure<br><input type="checkbox"/> 230 Rent Lease & Ejectment<br><input type="checkbox"/> 240 Torts to Land<br><input type="checkbox"/> 245 Tort Product Liability<br><input type="checkbox"/> 290 All Other Real Property   | <b>CIVIL RIGHTS</b><br><input type="checkbox"/> 441 Voting<br><input type="checkbox"/> 442 Employment<br><input type="checkbox"/> 443 Housing/ Accommodations<br><input type="checkbox"/> 444 Welfare<br><input type="checkbox"/> 440 Other Civil Rights  | <b>PRISONER PETITIONS</b><br><input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus:<br><input type="checkbox"/> 530 General<br><input type="checkbox"/> 535 Death Penalty<br><input type="checkbox"/> 540 Mandamus & Other<br><input type="checkbox"/> 550 Other  | <b>LABOR</b><br><input type="checkbox"/> 710 Fair Labor Standards Act<br><input type="checkbox"/> 720 Labor/Mgmt. Relations<br><input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act<br><input type="checkbox"/> 740 Railway Labor Act<br><input type="checkbox"/> 790 Other Labor Litigation<br><input type="checkbox"/> 791 Empl. Ret. Inc. Security Act                                       | <b>SOCIAL SECURITY</b><br><input type="checkbox"/> 861 HIA (1395ff)<br><input type="checkbox"/> 862 Black Lung (923)<br><input type="checkbox"/> 863 DIWC/DIWW (405(g))<br><input type="checkbox"/> 864 SSID Title XVI<br><input type="checkbox"/> 865 RSI (405(g)) |  |
|  |   |   |  | <b>FEDERAL TAX SUITS</b><br><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)<br><input type="checkbox"/> 871 IRS - Third Party 26 USC 7609  |  |

**VI. ORIGIN**

(PLACE AN X IN ONE BOX ONLY) Transferred from Appeal to District  
☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Judge from Magistrate Judgement

**VII. REQUESTED IN COMPLAINT:** CHECK IF THIS IS A CLASS ACTION COMPLAINT: ☐ UNDER F.R.C.P. 23

DEMAND \$ 95,000.00

Check YES only if demanded in complaint:

JURY DEMAND: X YES ☐ NO**VIII. RELATED CASE(S) IF ANY**

(SEE INSTRUCTIONS)

JUDGE Judge of Related Case

DOCKET NUMBER Docket Number of Related Case

DATE: November 6, 2015

SIGNATURE OF ATTORNEY OF RECORD

UNITED STATES DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CASE MANAGEMENT TRACK DESIGNATION FORM**

|                                    |   |              |
|------------------------------------|---|--------------|
| YVETTE MURRAY AND CHRISTOPHER MING | : | CIVIL ACTION |
| 2104 Melvin Street                 | : |              |
| Philadelphia, PA 19131             | : |              |
| v.                                 | : | NO.          |
| TRUMP ENTERTAINMENT RESORTS AND    | : |              |
| TRUMP TAJ MAHAL ASSOCIATES         | : |              |
| 1000 Boardwalk @ Virginia Avenue   | : |              |
| Atlantic City, NJ 08401            | : |              |

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus – Cases brought under 28 U.S.C. §2241 through §2255. ( )
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits ( )
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. (X)
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ( )

November 6, 2015

Date



Attorney-at-law

Trump Entertainment Resorts, Trump Taj Mahal Assoc

Attorney for

(215)564-6688

Telephone  
(Civ. 660) 10/02

(215)564-2526

FAX Number

echalik@moodklaw.com

E-Mail Address

**FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM** to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 2104 Melvin Street, Philadelphia, PA 19131

Address of Defendant: 1000 Boardwalk @ Virginia Avenue, Atlantic City, NJ 08401

Place of Accident, Incident or Transaction: 1000 Boardwalk @ Virginia Avenue, Atlantic City, NJ 08401  
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐ No **X**

Does this case involve multidistrict litigation possibilities?

Yes ☐ No **X**

RELATED CASE, IF ANY:

Case Number: \_\_\_\_\_ Judge \_\_\_\_\_ Date Terminated: \_\_\_\_\_

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?

Yes ☐ No **X**

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?

Yes ☐ No **X**

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?

Yes ☐ No **X**

4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? Yes ☐ No **X**

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

**A. Federal Question Cases:**

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases  
(Please specify)

**B. Diversity Jurisdiction Cases:**

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. **X** Other Personal Injury (Please specify) Slip & Fall
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases

(Please specify)

**ARBITRATION CERTIFICATION**

(Check appropriate Category)

I, Elizabeth A. Chalik, counsel of record do hereby certify:

☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

☐ Relief other than monetary damages is sought.

DATE: 11/6/15

Attorney-at-Law

88157

Attorney I.D.#

**NOTE:** A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 11/6/15

Attorney-at-Law

88157

Attorney I.D.#

CIV. 609 (5/2012)

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

061-100285

YVETTE MURRAY AND CHRISTOPHER  
MING

vs.

TRUMP ENTERTAINMENT RESORTS AND  
TRUMP TAJ MAHAL ASSOCIATES

CIVIL ACTION

NO.

**NOTICE OF FILING NOTICE OF REMOVAL**  
**TO THE UNITED STATES DISTRICT COURT FOR THE EASTERN**  
**DISTRICT OF PENNSYLVANIA**

TO: Bernard M. Gross, Esquire  
Law Offices of Bernard M. Gross, P.C.  
100 Penn Square East  
Suite 450, The Wanamaker Building  
Philadelphia, PA 19107

**PLEASE TAKE NOTICE** that Trump Entertainment Resorts and Trump Taj Mahal Associates, in the matter of Yvette Murray and Christopher Ming vs. Trump Entertainment Resorts and Trump Taj Mahal Associates, originally pending in the Court of Common Pleas in the County of Philadelphia, Pennsylvania, under October Term 2015, No. 0123, file in the United States District Court for the Eastern District of Pennsylvania, their Notice of Removal of said cause to the Eastern District of Pennsylvania. A copy of the Notice of Removal is attached hereto and served herewith.

**MARKS, O'NEILL, O'BRIEN,  
DOHERTY & KELLY, P.C.**

By: EC7202  
Elizabeth A. Chalik, Esquire  
Attorney I.D. Nos: 88157  
1800 JFK Boulevard, Suite 1900  
Philadelphia, Pa. 19103  
215-564-6688  
Attorney for Defendants

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

061-100285

YVETTE MURRAY AND CHRISTOPHER  
MING

vs.

TRUMP ENTERTAINMENT RESORTS AND  
TRUMP TAJ MAHAL ASSOCIATES

CIVIL ACTION

NO.

**NOTICE OF REMOVAL**

AND NOW, Defendants, Trump Entertainment Resorts and Trump Taj Mahal Associates, by and through their attorneys, MARKS, O'NEILL, O'BRIEN, DOHERTY & KELLY, P.C., hereby remove the above-captioned case to this Honorable Court and provide notice of same to counsel representing the Plaintiffs. In support of the removal, the Defendants aver as follows:

1. This is an action filed and now pending in the Philadelphia Court of Common Pleas, October Term 2015, No. 0123.
2. A copy of Plaintiffs' Complaint is attached hereto as Exhibit "A".
3. This action was instituted by complaint in the Court of Common Pleas of Philadelphia County on or about October 5, 2015 by Plaintiffs filing a Complaint at the above Court term and number.
4. This Notice of Removal is being filed within thirty (30) days after receipt by the Defendants of the initial pleading setting forth the claim for relief upon which this action is based in accordance with 28 U.S.C. §1446(b).

5. This is a civil suit and involves controversy between citizens of different states. Plaintiffs, upon information and belief, were at the time of the commencement of the above action citizens of the Commonwealth of Pennsylvania.

6. Defendants, Trump Entertainment Resorts and Trump Taj Mahal Associates, which conduct business at 1000 Boardwalk at Virginia Avenue, Atlantic City, are Delaware corporations, with a principal place of business in Atlantic City, New Jersey.

7. As averred in Plaintiffs' Complaint, the damages claimed by Plaintiffs are in excess of \$50,000.00. In fact, Plaintiffs have demanded \$95,000.00 to resolve this case.

8. As a result, Defendants allege and aver, upon information and belief, that the amount in controversy is in excess of \$75,000.00, exclusive of interests and costs.

9. The above-described Civil Action is one in which this Honorable Court has original jurisdiction pursuant to Title 28 United States Code Section 1332, based upon the fact that there exists diversity of citizenship between the parties, and the amount in controversy is in excess of \$75,000.00, exclusive of interests and costs, and is, accordingly, one which may be removed to this Honorable Court by Notice pursuant to Title 28, United States Code, Section 1441.

10. Promptly after filing this Notice of Removal in this Honorable Court, a copy of this Notice of Removal will be filed with the Court of Common Pleas of Philadelphia County, Commonwealth of Pennsylvania, in accordance with 28 United States Code, Section 1446(d).

11. Copies of all process, pleadings and order served upon defendants as of the time of this removal are attached hereto in accordance with 28 United States Code, Section 1446(a).

12. Defendants have contemporaneously with the filing of this Notice of Removal given written notice to Plaintiffs' counsel.

**WHEREFORE**, Defendants respectfully request that this action, currently docketed in the Court of Common Pleas of Philadelphia County, be removed to the United States District Court for the Eastern District of Pennsylvania.

**MARKS, O'NEILL, O'BRIEN,  
O'BRIEN & KELLY, P.C.**

By: EC7202  
Elizabeth A. Chalik, Esquire  
Attorney I.D. No.: 88157  
1800 JFK Boulevard, Suite 1900  
Philadelphia, Pa. 19103  
215-564-6688  
Attorney for Defendants

COMMONWEALTH OF PENNSYLVANIA

:

:

SS

:

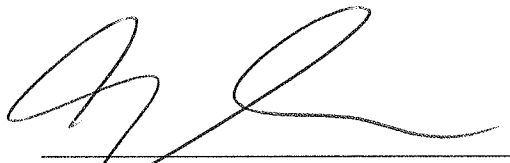
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COUNTY OF PHILADELPHIA

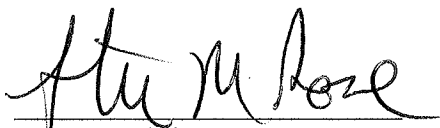
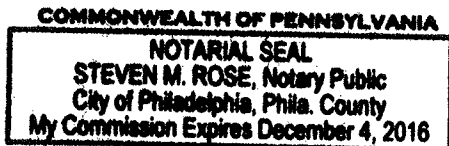
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**AFFIDAVIT**

Elizabeth A. Chalik, Esquire being duly sworn according to law deposes and says that the facts set forth in the foregoing Notice of Removal are true and correct to the best of her knowledge, information and belief.

  
Elizabeth A. Chalik, Esquire

Sworn to and Subscribed  
before me this 6 day of  
November, 2015.

  
Notary Public



**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

061-100285

YVETTE MURRAY AND CHRISTOPHER  
MING

vs.

TRUMP ENTERTAINMENT RESORTS AND  
TRUMP TAJ MAHAL ASSOCIATES

CIVIL ACTION

NO.

**CERTIFICATE OF SERVICE**

I hereby certify that this 6th day of November , **2015**, a true and correct copy of the Defendants' Notice to Remove was served on all parties of record by electronic filing and/or first class mail, postage prepaid.

**MARKS, O'NEILL, O'BRIEN,  
DOHERTY & KELLY, P.C.**

By: EC7202  
Elizabeth A. Chalik, Esquire  
Attorney for Defendants  
1800 JFK Boulevard, Suite 1900  
Philadelphia, Pa. 19103  
215-564-6688

## **EXHIBIT A**

Court of Common Pleas of Philadelphia County  
Trial Division  
**Civil Cover Sheet**

|   |   |  |  |
|---|---|--|--|
| <b>PLAINTIFF'S NAME</b><br>YVETTE MURRAY  |   | For Prothonotary Use Only (Docket Number)<br><b>OCTOBER 2015</b> <b>000123</b><br>E-Filing Number: 1510008870  |  |
|   |   | <b>DEFENDANT'S NAME</b><br>TRUMP ENTERTAINMENT RESORTS   |  |
| <b>PLAINTIFF'S ADDRESS</b><br>2104 MELVIN STREET<br>PHILADELPHIA PA 19131   |   | <b>DEFENDANT'S ADDRESS</b><br>1000 BOARDWALK AT VIRGINIA AVE<br>ATLANTIC CITY NJ 08401   |  |
| <b>PLAINTIFF'S NAME</b><br>CHRISTOPHER MING   |   | <b>DEFENDANT'S NAME</b><br>TRUMP TAJ MAHAL ASSOCIATES, ALIAS: D/B/A TRUMP<br>TAJ MAHAL A/K/A TRUMP TAJ MAHAL CASINO HOTEL  |  |
| <b>PLAINTIFF'S ADDRESS</b><br>2104 MELVIN STREET<br>PHILADELPHIA PA 19131   |   | <b>DEFENDANT'S ADDRESS</b><br>1000 BOARDWALK AT VIRGINIA AVE<br>ATLANTIC CITY NJ 08401   |  |
| <b>PLAINTIFF'S NAME</b>   |   | <b>DEFENDANT'S NAME</b>  |  |
| <b>PLAINTIFF'S ADDRESS</b>  |   | <b>DEFENDANT'S ADDRESS</b>   |  |
| <b>TOTAL NUMBER OF PLAINTIFFS</b><br>2  | <b>TOTAL NUMBER OF DEFENDANTS</b><br>2  | <b>COMMENCEMENT OF ACTION</b><br><input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal<br><input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions |  |
| <b>AMOUNT IN CONTROVERSY</b><br><input type="checkbox"/> \$50,000.00 or less<br><input checked="" type="checkbox"/> More than \$50,000.00   | <b>COURT PROGRAMS</b><br><input type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement<br><input type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors<br><input checked="" type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival<br><input type="checkbox"/> Other: |  |  |
| <b>CASE TYPE AND CODE</b><br>2S - PREMISES LIABILITY, SLIP/FALL   |   |  |  |
| <b>STATUTORY BASIS FOR CAUSE OF ACTION</b>  |   |  |  |
| <b>RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)</b><br><br><div style="text-align: center;"> <b>FILED</b><br/> <b>PRO PROTHY</b><br/> <b>OCT 05 2015</b><br/> <b>D. SAVAGE</b> </div> |   | <b>IS CASE SUBJECT TO COORDINATION ORDER?</b><br>YES    NO   |  |
| <b>TO THE PROTHONOTARY:</b><br>Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>YVETTE MURRAY , CHRISTOPHER MING</u><br>Papers may be served at the address set forth below.  |   |  |  |
| <b>NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY</b><br>BERNARD M. GROSS  |   | <b>ADDRESS</b><br>THE WANAMAKER BLDG,<br>100 PENN SQUARE EAST<br>SUITE 450<br>PHILADELPHIA PA 19107  |  |
| <b>PHONE NUMBER</b><br>(215) 561-3600   | <b>FAX NUMBER</b><br>(215) 561-3000   |  |  |
| <b>SUPREME COURT IDENTIFICATION NO.</b><br>2571   |   | <b>E-MAIL ADDRESS</b><br>jim@bernardmgross.com   |  |
| <b>SIGNATURE OF FILING ATTORNEY OR PARTY</b><br>BERNARD GROSS   |   | <b>DATE SUBMITTED</b><br>Monday, October 05, 2015, 03:29 pm  |  |

FINAL COPY (Approved by the Prothonotary Clerk)

LAW OFFICES  
 BERNARD M. GROSS, P.C.  
 100 Penn Square East  
 Suite 450, The Wanamaker Bldg.  
 Philadelphia, PA 19107  
 Phone: 215-561-3600/Fax: 215-561-3000

Assessment of damages  
 hearing is/XXXXXX  
 required. Filed and Attested by



NON-JURY

YVETTE MURRAY and  
 CHRISTOPHER MING  
 2104 Melvin Street  
 Philadelphia, PA 19131

COURT OF COMMON PLEAS  
 PHILADELPHIA COUNTY

OCTOBER TERM, 2015

v.

NO. 0123

TRUMP ENTERTAINMENT RESORTS  
 1000 Boardwalk at Virginia Avenue  
 Atlantic City, NJ 08401

and

TRUMP TAJ MAHAL ASSOCIATES d/b/a  
 TRUMP TAJ MAHAL a/k/a TRUMP TAJ  
 MAHAL CASINO HOTEL  
 1000 Boardwalk at Virginia Avenue  
 Atlantic City, NJ 08401

CIVIL ACTION

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.**

**IF YOU CANNOT AFFORD TO HIRE A LAWYER THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

PHILADELPHIA BAR ASSOCIATION  
 LAWYER REFERRAL and INFORMATION SERVICE  
 One Reading Center  
 Philadelphia, Pennsylvania 19107  
 (215) 238-6333

**AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias, de plazo al partir de la fecha de la demanda y la notificacion. Haga falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y pueda continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandante y regular que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

**LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAMA POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.**

ASOCIACION DE LICENCIADOS DE FILADELFA  
 SERVICIO DE REFERENCIA E INFORMACION LEGAL  
 One Reading Center  
 Filadelfia, Pennsylvania 19017  
 Telefono: (215) 238-6333

FIRST COUNT

1. Plaintiff, Yvette Murray, is an individual residing at 2104 Melvin Street, Philadelphia, PA 19134.

2. Defendant, Trump Entertainment Resorts, is a business, company, entity, partnership, franchisee, fictitious name, proprietorship, or corporation existing and/or qualifying under the laws of the Commonwealth of Pennsylvania, which regularly conducts business within the City of Philadelphia.

3. Defendant, Trump Taj Mahal Associates, d/b/a Trump Taj Mahal a/k/a Trump Taj Mahal Casino Hotel, hereinafter referred to as "Trump Taj Mahal" is a business, company, entity, partnership, franchisee, fictitious name, proprietorship, or corporation existing and/or qualifying under the laws of the Commonwealth of Pennsylvania, which regularly conducts business within the City of Philadelphia.

4. Defendants Trump Entertainment Resorts and Trump Taj Mahal, continuously and systematically conduct business within the Commonwealth of Pennsylvania and within the City of Philadelphia and has subject of itself in the Philadelphia stream of commerce and has sufficient contacts within the City of Philadelphia in that defendants Trump Entertainment Resorts and Trump Taj Mahal have done and continue to do the following, all in furtherance of the defendants business and affairs:

- (a) Advertising in the City of Philadelphia by running television ads, newspaper ads, and radio ads;
- (b) Advertising in the City of Philadelphia by placing and establishing billboards to promote its business in and around the Commonwealth of Pennsylvania;
- (c) Running casino bus trips from Philadelphia to defendants' establishments;
- (d) Providing casino vouchers to Philadelphia residents who take said bus trips referenced in (c) above;

5. At all times material hereto the defendants, Trump Entertainment Resorts and Trump Taj Mahal were in the business of operating a hotel and casino on the premises located at 1000 Virginia Avenue, Atlantic City, NJ.

6. At all times material hereto the defendants owned, operated, possessed, managed, maintained and/or controlled the premises located at 1000 Virginia Avenue, Atlantic City, NJ.

7. At all times material hereto the defendants acted and/or failed to act by and through their respective agents, servants, workpersons, and/or employees who acted in the course of their employment within the scope of their authority each representative defendant.

8. At all times material hereto, there existed a dangerous condition in the common area of the premises of Trump Taj Mahal Casino Hotel, 1000 Virginia Avenue, Atlantic City, NJ, more fully hereinafter set forth in that a dangerous condition created a reasonably foreseeable risk of the kind of injury which was incurred and defendants had notice and/or could have reasonably been charged with notice of the circumstances of said

dangerous condition at the sufficient time prior to the event, to have taken measures to protect against the dangerous condition.

9. On or about January 10, 2015, at approximately 5:00 p.m., plaintiff Yvette Murray was operating one of the defendants' slots machines when the machine opened onto the body of the plaintiff while she was seated, striking her body and as a result of which, plaintiff sustained serious bodily injuries, more hereinafter described.

10. Defendants were careless, negligent and reckless in:

- (a) Maintaining a condition on the premises which it knew or had reason to know presented an unreasonable risk of harm to the plaintiff;
- (b) Failing to inspect said premises adequately to insure the safety of patrons in general and plaintiff in particular;
- (c) Failing to warn plaintiff of a dangerous condition;
- (d) Failing to use due care under the circumstances.
- (e) Failing to properly and adequately hire and/or instruct the agents, servants, workman, employees and/or representative of defendants herein, as to safe and proper procedures for inspecting, maintaining, cleaning, correcting and repairing a dangerous and defective condition on defendants' premises, including the defective and dangerous condition which caused plaintiff's injuries;
- (f) Failing to provide safe conditions for invitees, independent contractors, guests, licensees, and/or members of the general public to the premises;
- (g) Failing to provide and maintain proper supervision of said premises;
- (h) Failing to provide and maintain proper safety precautions of said premises;
- (i) Failing to respond in a timely manner to a dangerous condition or situation upon said premises.

11. By reason of the above described occurrence, plaintiff sustained serious bodily injuries to the head, body and extremities, some or all of which are or may be permanent including, but not limited to, de Quervain's tendinitis right wrist; post traumatic media nerve neuritis at the right wrist; strain and sprain with contusion right hand and wrist with CMC synovitis; and a severe shock to the nerves and nervous system, as a result of which plaintiff has suffered, still suffers and will continue to suffer for an indefinite time in the future, and which have prevented plaintiff from attending to plaintiff's daily duties and occupation, all to plaintiff's great financial damage and loss.

12. As a result of the injuries hereinabove described, plaintiff was and will continue to be obliged to expend various sums of money for medicine and medical treatment in and about endeavoring to treat plaintiff of said injuries, all to plaintiff's great financial damage and loss.

WHEREFORE, plaintiff Yvette Murray demands judgment against defendants Trump Entertainment Resorts and Trump Taj Mahal Associates d/b/a Trump Taj Mahal a/k/a Trump Taj Mahal Casino Hotel in a sum in excess of Fifty Thousand Dollars (\$50,000.00). The amount sued upon is in excess of that requiring submission to arbitration.

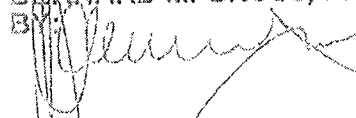
SECOND COUNT

13. The plaintiff, Christopher Ming, hereby incorporates by reference, the allegations contained in the above paragraphs, as fully as though the same were here set forth at length.

14. The plaintiff, Christopher Ming, is the husband of the plaintiff, Yvette Murray.

15. The plaintiff, Christopher Ming, has been and may continue to be deprived of the services, society, companionship and consortium of Yvette Murray, to plaintiff's great detriment and loss.

WHEREFORE, plaintiff Christopher Ming demands judgment against defendants Trump Entertainment Resorts and Trump Taj Mahal Associates d/b/a Trump Taj Mahal a/k/a Trump Taj Mahal Casino Hotel in a sum in excess of Fifty Thousand Dollars (\$50,000.00). The amount sued upon is in excess of that requiring submission to arbitration.

LAW OFFICES  
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*Attorney for Plaintiffs*

VERIFICATION

YVETTE MURRAY AND CHRISTOPHER MING, being duly sworn according to law, deposes and says that the facts set forth in the foregoing material are true and correct to the best of their knowledge, information and belief.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

(YM)   
YVETTE MURRAY

(CM)   
CHRISTOPHER MING